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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

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11 RODAN ENTERPRISES, INC., ) CASE NO. 05-CV-04643 MJJ  
12 Plaintiff, )  
13 v. ) **STIPULATION AND [PROPOSED] ORDER  
14 SIRIUS AMERICA INSURANCE ) TO CONTINUE MEDIATION CUT-OFF  
COMPANY AND DOES 1 - 100, ) DATE  
15 inclusive, )  
16 Defendants. )  
17 \_\_\_\_\_**

18 The parties, Rodan Enterprises, Inc. and Sirius America  
19 Insurance Company ("SAIC"), by and through their counsel of  
20 record, hereby stipulate as follows:

21 1. The mediation cut-off date in this case is currently  
22 set for August 31, 2006. The parties stipulate and agree that  
23 this cut-off date should be continued to December 15, 2006, or  
24 thereafter as this Court deems appropriate;

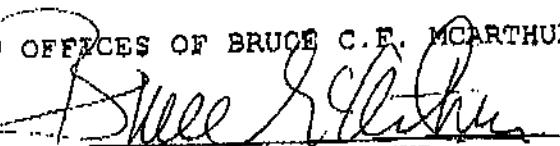
25 2. Good cause exists for continuing the mediation cut-off  
26 date because the hearing date the Court set for SAIC's Motion for  
27 Summary Judgment is currently October 31, 2006. Deferring the  
28 mediation date until after SAIC's Motion for Summary Judgment is

1 heard will ensure a more productive mediation session and  
2 facilitate settlement discussions;

3 3. The parties are available and will be ready to  
4 participate in mediation on or before December 15, 2006; and

5 4. This continuance is not sought for any dilatory  
6 purpose.

7  
8 Dated: August 15, 2006

LAW OFFICES OF BRUCE C. F. MCARTHUR  
By:   
BRUCE C. F. MCARTHUR  
Attorneys for Plaintiff RODAN  
ENTERPRISES, INC.

12  
13 Dated: August 17, 2006

BERMAN, BERMAN & BERMAN, LLP  
By:   
SPENCER A. SCHNEIDER  
KAREN E. ADELMAN  
Attorneys for Defendant SIRIUS  
AMERICA INSURANCE COMPANY

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19 Based on the foregoing stipulation and good cause appearing  
20 therefore, IT IS HEREBY ORDERED that the mediation cut-off date  
21 in this matter is continued to December 15, 2006.

22 Date: 8/21/06

  
U.S. District Judge Martin J. Jenkins